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September 8, 2024

VIA ECF

Honorable Arun Subramanian
Southern District of New York
500 Pearl Street, Courtroom 15A
New York, NY 10007
(212) 805-0238

Re: Doe v. Gov't of the U.S. Virgin Islands, et al., No. 1:23-cv-10301-AS

Dear Judge Subramanian:

We are the attorneys for Stacey Plaskett. We write to request clarification on a matter of scheduling and, if needed, a personal accommodation.

As reflected in the Court's docket entry dated August 16th, 2024, there is a conference scheduled before the Court on September 27th at 1:00 p.m. I am the lead attorney for Ms. Plaskett in this matter and understand my obligations to the Court. I previously committed to attend an annual meeting of the American College of Trial Lawyers in Nashville, Tennessee that week. As the Chair of the New Jersey State Committee of the College, my attendance is needed to ensure that our chapter is represented.

If the September 27th date is a scheduling or status conference, I request permission to participate by zoom or telephone link. My partner and co-counsel, Melissa Geller, will also appear in person in my stead, with the Court's permission.

If, however, it is the Court's intention to hear argument on the pending motions to dismiss on September 27th then I respectfully request an adjournment of the hearing so that I may attend and participate in the oral argument in person.

Duane Morris

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Plaintiffs' counsel have informed me that they object to any adjournment. Not all defense counsel has answered my inquiry, but those that have answered have indicated a willingness to reschedule, subject to their schedules.

If the Court is inclined to grant our request for an adjournment of the hearing, we will poll all parties and present the Court with three or four dates that work for all counsel for an alternative date.

I appreciate the Court's patience and consideration.

Respectfully submitted,

/s/ Eric R. Breslin
Eric R. Breslin

cc: All Counsel of Record (Via ECF)

The Court anticipates hearing argument on the pending motions to dismiss at the upcoming conference. If all parties agree, the conference will be rescheduled to September 30, 2024 at 4pm. If all parties do not agree, the conference will be held, as previously scheduled, on September 27th, 2024 at 1pm. Counsel should inform the Court by **September 13, 2024 at 5pm** whether all parties consent to rescheduling the conference to September 30, 2024 at 4pm.

The Clerk of Court is directed to terminate the motion at ECF No. 164.

SO ORDERED.



Arun Subramanian, U.S.D.J.
Date: September 9, 2024